

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Ted Marcum,

Case No. C-1-02-425

Petitioner,

Honorable Herman Weber, Judge

vs.

Magistrate Jack Sherman

William A. Tanner, Warden;
AND THE OHIO ADULT PAROLE AUTHORITY;
And The State Of Ohio, et. al.,

Respondent et al.

MOTION TO AMEND HABEAS CORPUS RELIEF
AND NOTIFICATION OF A CHANGE OF ADDRESS, AND A CHANGE
OF RESIDENCY

Now comes the Petitioner, Ted Marcum, acting in pro se, who hereby respectfully moves the Court for an Order Granting to Amend the Petition(s) for Habeas Corpus Relief, by including The Names of The Ohio Adult Parole Authority; and The State of Ohio, et al., as proper party Respondent's.

Petitioner notifies this Honorable Court that the Petitioner, Ted Marcum, is no longer incarcerated at the Pickaway Correction Institution; Petitioner states that he is currently residing at: 239 North 9th Street, Hamilton, Ohio 45011. Petitioner further states that he is currently on "parole" release by Order of the Ohio Adult Parole Authority, and by statute by the State Of Ohio. Petitioner moves this Court to Amend the Name of the Party Respondent, because the Warden at Pickaway Correction Institution, no longer has "custody" over the body of the Petitioner.

Respectfully Submitted

Ted Marcum

Ted Marcum, Petitioner, Pro Se
239 North Ninth Street
Hamilton, Ohio 45011

(2)

AFFIDAVIT BY PETITIONER, TED MARCUM

Affiant, Ted Marcum, does hereby declare, under penalty of perjury, that the facts stated within the body of the Motion moving to AMEND the Petition(s) for Habeas Corpus Relief, is and hereby be, Wholly Correct and True, for which Affiant verily believes the same as true and correct, within the best intelligence of the Affiant, Ted Marcum.

EXECUTED ON THIS 17th DAY OF JANUARY, 2004, UNDER DECLARATION OF PENALTY OF PERJURY.

Ted Marcum
Ted Marcum, Affiant, Petitioner
239 North Ninth Street
Hamilton, Ohio 45011

CERTIFICATE OF SERVICE

This is hereby to certify to that a true copy of the forgoing Motion Moving to AMEND the Name of the Respondent/Custodian, and Notification of a change of address and residency, has hereby been served upon Mr. Staurt A. Cole, Assistant Ohio Attorney General, at: 150 East Gay Street, Corrections Litigation Section, 16th Fl., Columbus, Ohio 43215, on this 16th Day of January, 2004, By: 1st Class, U.S. Mail Delivery, postage preafixed hereto.

Ted Marcum
Ted Marcum, Petitioner, Pro Se
239 North Ninth Street
Hamilton, Ohio 45011